

SUPREME COURT OF WISCONSIN
OFFICE OF LAWYER REGULATION

PUBLIC REPRIMAND WITH CONSENT

2003-OLR-15

THOMAS A. PLEIN
ATTORNEY AT LAW

Atty. Thomas A. Plein, 63, had been a practicing lawyer in Winnebago County, Wisconsin. In 1997, the Winnebago County District Attorneys office commenced an investigation of potential charges against Atty. Plein concerning alleged sexual contact with a 17 year-old minor.

On September 29, 2000, the Winnebago County District Attorney's office filed charges, which included three counts of engaging in sexual intercourse with a child age 16 or older in violation of sec. 948.09, Stats., against Atty. Plein for alleged incidents which occurred in January 1997 involving a 17 year-old minor. All three counts were charged as Class A misdemeanors.

Also on September 29, 2000, an oral agreement was reached between Atty. Plein's counsel and the District Attorney's office. Atty. Plein appeared by phone and pled guilty to all three counts of engaging in sexual intercourse with a child age 16 or older, in violation of sec. 948.09, Stats., all Class A Misdemeanors. According to the Judgment of Conviction, Atty. Plein was required to pay fines and costs by January 15, 2001. Atty. Plein was no longer engaged in the active practice of law at the time he was charged and convicted.

Atty. Plein's conviction of three counts of engaging in sexual intercourse with a child age 16 or older as outlined in the Judgment of Conviction, provides evidence of three instances of

conduct violating SCR 20:8.4(b), which states, "It is professional misconduct for a lawyer to...commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects."

Atty. Plein has no prior disciplinary history.

In accordance with SCR 22.09(3), Attorney Plein is hereby publicly reprimanded.

Dated this 17th day of November, 2003.

SUPREME COURT OF WISCONSIN

/s/ Judith Sperling-Newton

Referee